

Draft #2  
6/18/2004

## AGENDA

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**JUNE 21, 2004  
5:00 P.M. (EST)**

1. **INVOCATION** Rev. Robert Strode, St. John A.M.E. Church  
**ROLL CALL**  
**MINUTES** May 17, 2004 Regular Meeting; June 7, 2004 Work Session  
**MAYOR'S REPORT**

2. **CEREMONIAL ITEMS**  
None.

### 3. **ORDINANCES**

- 3.1 **SECOND READING:** An Ordinance Establishing a Hazardous Materials Response Team for the City of Frankfort to Create and Form the Haz-Mat 14 Response Team with Franklin County Fiscal Court and the Commonwealth of Kentucky.

Purpose: The purpose of this item is to consider an ordinance establishing a Hazardous Materials Response Team for the City of Frankfort to create and form the Haz-Mat 14 Response Team with Franklin County Fiscal Court and the Commonwealth of Kentucky, pursuant to KRS 39B.070.

Background: To comply with the requirements of Kentucky Emergency Management in procuring non-matching grant funds it is necessary to adopt an ordinance to establish a Haz-Mat Response Team as a function of City Disaster and Emergency Management pursuant to KRS 39B.070. The Haz-Mat Response Team will be part of the Region 14 team. Franklin County adopted a similar ordinance in May 2003. As part of Region 14, City personnel are covered under the State's Worker's Compensation while functioning as Haz-Mat 14.

This ordinance had its first reading 5/17/04.

Recommendation: Approval.

Attachments: Ordinance.  
Memorandum of Understanding.  
Bylaws of the Regional 14 Regional Hazmat/WMD Response Team.  
Ordinance No. 6-2003 adopted by Franklin County Fiscal Court.

#### Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Department: Fire  
Phone: (502) 875-8511  
E-mail: wpossich@fewpb.com

- 3.2 **SECOND READING:** An Ordinance Providing for the Recovery of Costs Incurred for Response

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to a Hazardous Materials Incident

Purpose: The purpose of this item is to consider an ordinance to provide for cost recovery from responsible parties for mitigating hazardous materials emergencies.

Background: To comply with the requirements of Kentucky Emergency Management in procuring non-matching grant funds it is necessary to adopt an ordinance to provide a legal means of cost recovery for response to, control and mitigation of hazardous materials emergencies. This ordinance holds liable the responsible owners, shippers or businesses for all costs associated with such response, control and mitigation. Franklin County Fiscal Court adopted a similar ordinance in May 2003

This ordinance had its first reading 5/17/04.

Recommendation: Approval.

Attachments: Ordinance.  
Ordinance No. 7-2003 adopted by Franklin County Fiscal Court.

Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Department: Fire  
Phone: (502) 875-8511  
E-mail: wpossich@fewpb.com

**3.3 SECOND READING:** An Ordinance Appropriating the Revenue to be Received by the City of Frankfort for Fiscal Year 2004-2005.

Purpose: The purpose of this ordinance is to appropriate revenue to be received and expended by the City of Frankfort for Fiscal Year 2004-2005 in accordance with the budget submitted and approved by its adoption.

This ordinance had its first reading 5/17/04.

Attachments: Ordinance.

Contact Person

Name:	Tony Massey	James C. Rogers
Title:	City Manager	Director
Department:	City Manager	Finance
Phone:	(502) 875-8500	(502) 875-8505
E-mail:	Amassey@fewpb.com	Jrogers@fewpb.com

**3.4 SECOND READING:** An Ordinance Amending Ordinance No. 8, 2003 Series; Ordinance No. 20, 2003 Series; and Frankfort Municipal Code Section 2.93.030 Pay Plan (Salary Ordinance).

Purpose: The purpose of this ordinance is to amend existing ordinances relating to salary and wages for officers and employees of the City of Frankfort by enacting a three percent (3%) salary increment for full-time regular personnel for fiscal year 2004-2005.

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This ordinance had its first reading 5/17/04.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Tony Massey  
Title: City Manager  
Department: City Manager  
Phone: (502) 875-8500  
E-mail: Amassey@fewpb.com

- 3.5 **SECOND READING:** An Ordinance Adopting and Enacting a New Code for the City of Frankfort, Kentucky; Establishing the Same; Providing for the Repeal of Certain Ordinances Not Included Therein; and Providing for the Manner of Amending Such Code.

Purpose: The purpose of this item is to consider an ordinance adopting and enacting a new code for the City of Frankfort.

Background: The City of Frankfort made application for and was awarded a grant through the Kentucky Department for Libraries and Archives for codification and legal review of its ordinances. The publishing company, American Legal Publishing Corporation, has completed the preliminary manuscript of the new code; and William A. Thielen, General Counsel for the Kentucky League of Cities, has examined the code for consistency with state law. Over the past several months, the City Solicitor and City Clerk, along with department heads, have reviewed the draft manuscript for accuracy with current code, identifying additional revisions to manuscript, and making recommendation to the Board for revision following legal review by Mr. Thielen.

This ordinance had its first reading 5/17/04.

Financial Analysis: Grant funding in the amount of \$8,575 was received for the project, with no local match required.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name:	Robert C. Moore	Shirley Brown
Title:	City Solicitor	City Clerk
Department:	City Manager	City Manager
Phone:	(502) 227-2271	(502) 875-8500
E-mail:		Sbrown@fewpb.com

- 3.6 - 3.8 *Each of these ordinances, as listed below, are recommended to be repealed as a part of the recodification process.*

- 3.6 **SECOND READING:** An Ordinance Repealing Ordinance No. 21, 1979 Series, and Ordinance No. 31, 1980 Series, Relating to Auxiliary Police Force.

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Note: The Auxiliary Police Force was discontinued in the 1980's. Due to training and certification standards required for police officers, it is recommended that this ordinance be repealed.

This ordinance had its first reading 5/17/04.

Attachments: Ordinance.

- 3.7 **SECOND READING:** An Ordinance Repealing Frankfort Municipal Code Chapter 6.04 Food Regulations.
- 3.8 **SECOND READING:** An Ordinance Repealing Frankfort Municipal Code Chapter 6.08 Milk Regulations.

Note: Extensive state statutes and regulations have been adopted under KRS Chapter 217 and 902 KAR 45 for food and KRS Chapter 217C and 902 KAR 50 for milk. The state conducts extensive permitting, inspection and enforcement programs in these areas; therefore, the city regulations are obsolete.

These ordinances had first reading 5/17/04.

Attachments: Ordinances.

#### 4. ORDERS

- 4.1 An Order Authorizing the Mayor to Execute Ambulance Service Agreement between the City of Frankfort and Hospice of the Bluegrass, Inc.

Purpose: The purpose of this item is to consider an Ambulance Service Agreement with Hospice of the Bluegrass, Inc. for providing patient transportation services.

Background: Frankfort Fire and EMS currently provides EMS service to patients of Hospice through an agreement which expires this year. The proposed agreement is for a term of one year, to be renewed for successive one-year periods unless otherwise terminated by either party.

Financial Analysis: Revenue collected is 100% of medicare allowable rates.

Recommendation: Approval.

Attachments: Order.  
Ambulance Service Agreement.

Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Department: Fire  
Phone: (502) 875-8511  
E-mail: wpossich@fewpb.com

#### 5. RESOLUTIONS

5.1 A Resolution of the City of Frankfort, Kentucky Relating to the Improvement and Expansion of the Water System of the Electric and Water Plant Board of the City of Frankfort, Kentucky.

Purpose: The purpose of this item is to consider a resolution relating to the improvement and expansion of the water system of the Electric and Water Plant Board for the Board to act jointly with other Bluegrass Water Supply Consortium entities in creating a water commission to be known as the Bluegrass Water Supply Commission.

Background: For the past four years, the Electric and Water Plant Board has been working with regional government agencies and water utilities, through the Bluegrass Water Supply Consortium (BWSC), in addressing the potable (treated) water needs of Central Kentucky. The Consortium has been working with numerous local, state and federal agencies, including the Kentucky River Authority, Kentucky Division of Water, Kentucky Infrastructure Authority, Kentucky Public Service Commission, and Bluegrass Area Development District to study and address the region's need for additional potable water.

The key objectives of the Water System Regionalization Feasibility Study were identified and have been met:

- A grid network of water pipelines has been conceptually configured to optimize regional water supplies and move potable water to where it is needed.
- BWSC has identified the Kentucky River Pool No. 3 with supplemental raw water from the Ohio River as an alternative that utilizes highly reliable sources of supply and is available within 3 to 5 years.
- The management/ownership approach which is based on formation of the Bluegrass Water Supply Commission is fair and flexible.
- A financial plan has been developed that is affordable and fairly apportions costs.
- The Consortium has utilized a comprehensive program of public participation and outreach to effectively communicate the study process and findings.

BWSC has identified key items that need to be addressed in the near term:

- Finalize the amounts of water each BWSC participant will commit to purchase.
- Form the Bluegrass Water Supply Commission.
- Establish funding so that planning and design of the proposed facilities continues, particularly to implement near term improvements for communities with the greatest needs.
- Continue working with Kentucky Division of Water to formalize commitments on water credits, Kentucky River Pool No. 3 permitting, Ohio River permitting, and grid water quality.
- Pursue grant funding and/or low interest loans.

Recommendation: Approval.

Attachments: Resolution.  
Executive Summary, Report dated 11/23/03.  
Report, BWSC to Form Regional Water Commission.

Contact Person

Name:	Robert A. Bowman	Damon Talley
Title:	Attorney	Attorney
Department:	Frankfort Plant Board	Bluegrass Water Supply Consortium

## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will*

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*be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

#### 6.1 Lease Agreement for Radio Repeater Site. (Communications)

Purpose: The purpose of this item is to consider entering a lease agreement with BRJ Partners for radio repeater site on U.S. 421 North.

Background: The U.S. Army Corps of Engineers abandoned an equipment building and a radio tower on U.S. 421 North (Bald Knob Road) in Franklin County and transferred its ownership to the City of Frankfort. The Corps was leasing the property on which the building and tower are located. The owner of the property, BRJ Partners, is willing to lease the site to the City for a term of ten (10) years beginning on July 1, 2004, at the rate of \$200 per month. This site offers better radio transmission and reception than the current repeater sites. The current sites would be configured to serve as back-up repeaters.

Financial Analysis: The lease agreement is for two hundred dollars (\$200) per month to be paid in ten (10) annual payments of twenty-four hundred dollars (\$2,400) each for a total of twenty-four thousand dollars (\$24,000) over the life of the lease. Funding is allocated in Communications Account 100.39.53295.

Recommendation: Approval.

Attachments: Memorandum of Lease.  
Lease.

#### Contact Person

Name: Daryl Hensley  
Title: Director  
Department: Communications  
Phone: (502) 875-8582  
E-mail: [dhensley@fewpb.com](mailto:dhensley@fewpb.com)

#### 6.2 Agreement with Franklin County School System for Connecting Peaks Mill School to Cove Spring Trails. (Parks and Recreation)

Purpose: The purpose of this item is to consider entering an agreement with Franklin County School System for connecting Peaks Mill School to Cove Spring trails through the Fincel property. This would allow the children under school supervision to utilize the Cove Spring facility without using bus transportation.

Background: The Franklin County School System is applying for a grant with Bluegrass Pride for an outdoor classroom. The Parks and Recreation Department would like to partner with them. Contingent upon grant funding, the school system will build a nature trail approximately 200 yards long that Parks and Recreation would connect with the Cove Springs Holly Trail.

Financial Analysis: The school system is applying for \$3,000 grant funding with Bluegrass Pride. Cost to the City in the amount of \$500 for providing mulch/bark for the trails is allocated in Cove Spring Construction Account 640.

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Recommendation: Approval.

Attachments: None.

Contact Person

Name: Steve Brooks  
Title: Director  
Department: Parks and Recreation  
Phone: (502) 875-8575  
E-mail: Sbrooks@fewpb.com

6.3 Grant Application for 2004 Kentucky Homeland Security Grant Program. (Fire Department)

Purpose: The purpose of this item is to consider authorizing the filing of a joint grant application with Franklin County Fiscal Court for 2004 Homeland Security Funds.

Background: The procedures for obtaining Homeland Security grants have changed with the creation of the state office of Homeland Security. This agency will administer the grants for 2004 and requires that a detailed application be submitted no later than June 25, 2004. The application will consist of funding requests for both city and county to include Fire, Law Enforcement, Health Department, Public Works, Hospital and 911 Dispatch. Grant requests will focus on communication needs, haz-mat equipment and training, protective gear for law enforcement, and security systems for City Hall and the Sewer Department facility.

Financial Analysis: The amount of the total grant request is expected to be approximately \$2.5 million for all affected departments between city and county. No matching funds are required.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Department: Fire  
Phone: (502) 875-8511  
E-mail: wpossich@fewpb.com

6.4 Authorization to Declare Mower, Grinders and Table as Surplus for Disposal through Trade In on one Lastec 3682 Mower. (Golf Course)

Purpose: The purpose of this item is to consider declaring one Land Pride Mower, one Foley Grinder, one Nearly Grinder and setup table as surplus and authorize disposal through trade-in with Xenia Equipment Company toward purchase of a new Lastec 3682 Mower.

Background: The course is in need of a new mower to mow roughs. The Land Pride mower is 6 years old, broken down and beyond repair, and has not been used in four years. The grinders are outdated and will not grind.

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The cost of the demo Lastec 3682 Mower through State Price Contract #C-00053962 with Xenia Equipment Company is \$20,998, less trade-in value of \$2,000 for the Land Pride Mower, SN 260038 and \$1,500 for the grinders and set-up table, resulting in final purchase price of \$17,698.

Financial Analysis: Funding is allocated in equipment account 100.79.56550.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: Kirk Schooley  
Title: Golf Pro  
Department: Golf  
Phone: (502) 875-8559  
E-mail: Kschooley@fewpb.com

6.5 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Retirement	Michael Lyons	Police	6/1/04	Patrol Officer, authorize payment accrued leave, 62 hrs. vacation, 8 hrs. holiday
Appointment	James T. Hopper	Sewer	6/22/04	Collection System Maintenance I
	Thomas J. Gaines			
	David W. Stivers	Sewer	6/22/04	Collection System Laborer
Leave of Absence	Chermie Maxwell	Planning & Bldg. Codes	6/7/04	Office Assistant; leave of absence not to exceed six months

Attachments: Retirement letter, Off. Lyons.

Contact Person:

Name: John Morrow  
Title: Personnel Director  
Department: City Manager's Office  
Phone: (502) 875-8500  
E-mail: Jmorrow@fewpb.com

**7. BOARD APPOINTMENTS**

**8. OLD BUSINESS**

8.1 Bid Award: Truck-mounted Camera System. (Sewer Department)

Purpose: The purpose of this item is to consider awarding contract for the purchase of a truck-mounted camera system.



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Background: To complement the recently adopted Sewer Lateral Policy, the Sewer Department is in need of a camera system to perform video inspections of laterals from the main sewer line to determine the extent and location of problems.

Bid packages were sent to four vendors, with three bids being submitted. The bids were opened on 6/8/04. The low bidder, Cues of Orlando, Florida meets all specifications and submitted a bid of \$146,112.

Financial Analysis: Funding for the camera is included in the 2004-2005 Fiscal Year Budget (Lateral 400.68.56550). The camera system was bid with the provision that delivery will not be made until after July 2004. Delivery from time of award is 90 – 120 days.

Recommendation: Approval.

Attachments: Bid Tabulation.

Contact Person

Name:	William R. Scalf, Jr.
Title:	Director
Department:	Sewer
Phone:	(502) 875-2448
E-mail:	wscalf@fewpb.com

**9. NEW BUSINESS**

None.

**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**